

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41959 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- CHENARI District- Rohtas

1. Sarda Kunwar W/O Late Raju Sharma, Resident of Village- Doiya P.S.- Chenari, District- Rohtas
2. Sanhtu Sharma S/O Late Raju Sharma, Resident of Village- Doiya P.S.- Chenari, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49381 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- CHENARI District- Rohtas

Jhumak Sharma @ Ram Briksh Ram S/o Late Sita Sharma, Resident of Village - Doiya, P.S.- Chenari, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41959 of 2022)

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

(In CRIMINAL MISCELLANEOUS No. 49381 of 2022)

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with

Chenari P.S. Case No. 48 of 2020 lodged under Sections 304(B)/34 of the I.P.C.

As per the prosecution case, the present case has been filed against 5 known accused persons including the petitioners. Informant has alleged that marriage of his daughter was solemnized with accused Pramod Sharma in May 2019 but after 4-5 months of the marriage, the accused persons started demanding dowry and for that they started torturing his daughter. In this regard, his daughter has informed to the family members on many occasions. He further submits that in the month of January his daughter has given birth a child. All of a sudden on 29.03.2020 he received information that accused persons have killed the daughter of the informant by strangulation. Informant told that when he reached at the house, he has seen the dead body of his daughter.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that recent birth of child itself indicates that there was a good relation in the family. Learned Counsel further submits that husband of the deceased is in custody. In Cr. Misc. case No. 41959 of 2022 petitioner no.1 and 2 are mother-in-law and *devar* of the deceased whereas in Cr. Misc. No.49381 of

2022 petitioner is the brother of father-in-law of the deceased in this case. Counsel for the petitioners submits that petitioners have nothing to do with the relations between husband and wife. Learned counsel further submits that petitioners of Cr. Misc. Case No. 41959 of 2022 are in custody since 05.05.2022 and their antecedents are clean and the petitioner of Cr. Misc. Case No. 49381 of 2022 is in custody since 26.04.2022 and his antecedent is also clean and he is aged about 75 years. Learned counsel further submits that charge sheet has already been filed in this case and the husband of the deceased is in custody.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram in connection with Chenari P.S. Case No. 48 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of their bail bonds.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

U		T	
---	--	---	--